

## **MINUTES**

### **UTAH SUBSTANCE ABUSE LICENSING BOARD MEETING**

**March 14, 2006**

**Room 4B – 4<sup>th</sup> Floor – 1:30 P.M.  
Heber Wells Building**

**CONVENED:** 1:30 P.M.

**ADJOURNED:** 4:45 P.M.

**Bureau Manager:**  
**Board Secretary:**

Noel Taxin  
Karen McCall

**Board Members Present:**

Ronald K. Wilkey  
Shawn M. McMillen, Chairperson  
Linda Cornaby  
Joel Millard

**Board Members Absent:**

Patrick J. Fleming  
Kelly J. Lundberg, PhD  
Stephen R. Sheppard, PhD

**Guests:**

Craig Jackson, Division Director

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

##### **ADMINISTRATIVE BUSINESS:**

Read and approve the February 1, 2006 Minutes.

Mr. Millard made a motion to approve the minutes as read. Mr. Wilkey seconded the motion. **The Board vote was unanimous.**

##### **APPOINTMENTS:**

###### **2:00 P.M.**

Patricia Munteer, Probationary Interview

Ms. Munteer met for her probationary interview.

Board members and Division staff were introduced to Ms. Munteer.

Mr. McMillan explained the process and stated that since he has a working relationship with Ms. Munteer

he has asked Mr. Wilkey to conduct the interview.

Mr. Wilkey conducted the interview.

**Mr. Wilkey asked Ms. Munteer to explain the situation that brought her before the Board.**

Ms. Munteer explained that when renewal time came on May 31, 2005, she did not renew as she realized that she had not completed all of the required continuing education (CE) nor did she have the required 6 hours in ethics. Ms. Munteer stated that the agency was audited and she went to the auditor and explained that she did not have a valid license due to failure to complete the required CE. Ms. Munteer stated that her intent was to have the license reinstated as soon as the CE was complete. Ms. Munteer concluded that as a result of working without a valid license she was given a probationary license. Ms. Munteer commented that Ms. Taxin reviewed the laws and rules with her and explained the importance of following them. Ms. Munteer stated that she is now working at First Step House and has good supervisors. Ms. Munteer stated that she works on her substance abuse plans and has them reviewed by her supervisor.

**Ms. Taxin reminded Ms. Munteer that she must complete 10 hours of pre-approved CE in ethics and standards of practice in substance abuse and these are in addition to the required 40 hours to maintain the license. Ms. Taxin thanked Ms. Munteer for hand delivering the supervisor report.**

Ms. Munteer asked if she could take website courses.

**The Board and Ms. Taxin responded that website courses would be accepted.**

**Ms. Taxin cautioned Ms. Munteer to be sure that she works within the scope of practice for the Substance Abuse Counselor.**

Ms. Munteer responded that she goes to her supervisor to talk about the clients needs before she makes decisions.

**Ms. Taxin asked what Ms. Munteer's response would be if a supervisor did something inappropriate or asked her to assist with or do a mental health assessment.**

Ms. Munteer responded that she would immediately go to Mr. McMillan or her supervisor and, if necessary, she would call the Division. Ms. Munteer stated she would not assist or conduct a mental health assessment as it is not in her scope of practice.

**Mr. Wilkey asked if Ms. Munteer had a clinical supervisor at Bountiful Treatment Center who was signing off on her work and if Ms. Munteer was doing the treatment plans.**

Ms. Munteer responded that her clinical supervisor came in about once a week to sign off and review her work but there was no supervisor on a fulltime basis at the agency. Ms. Munteer stated that the medical doctor would do the examinations and Ms. Munteer would write up the treatment plan from what the Dr. had written.

**Mr. Wilkey asked if her supervisor had understood what her scope was.**

Ms. Munteer responded that she thought the supervisor understood.

**Ms. Taxin stated that her supervisor did not understand as Ms. Munteer was allowed to work beyond her scope of practice.**

**Ms. Taxin suggested Ms. Munteer locate CE information she would like to complete and bring it to the next Board meeting for the Board to review.**

**Ms. Taxin stated that if Ms. Munteer thinks something is not quite right at her employment, she should write it down for discussion at the next Board meeting or go directly to Mr. McMillan.**

**An appointment was made for Ms. Munteer to meet again May 3, 2006.**

**2:30 P.M.**

Melissa Zahn, Probationary Interview

Ms. Zahn met for her probationary interview.

**Mr. Wilkey disclosed that he is currently involved in a complaint submitted by Ms. Zahn and will be less involved in the discussion.**

Board members and Division staff were introduced to Ms. Zahn.

Mr. McMillan conducted the interview.

**Mr. McMillan requested Ms. Zahn to explain the situation that brought her before the Board.**

Ms. Zahn explained that she has a large residence within her living quarters. The upper portion is her residence with separate living quarters downstairs for 4 individuals to rent. Ms. Zahn stated agencies refer transitional people to her downstairs residence which is an alcohol and drug free environment. Ms. Zahn stated that if anyone violates the rules they are sent back to the treatment center. Ms. Zahn explained that the renters check in with her once a week, have random drug screens and must submit to her documentation of attending the support groups. Ms. Zahn stated that there is usually no family interaction other than a small talk if they see each other. Ms. Zahn explained that at the time of the incident there was only one person living in the downstairs and that person was from the agency where Ms. Zahn was working. Ms. Zahn explained that she and a co-worker accompanied the renter on a couple of occasions to obtain personal items. Ms. Zahn stated that she did not tell her agency supervisor that an agency client had moved into her basement residence. Ms. Zahn stated that when a renter/client is failing to observe the rules, the renter is immediately moved back to the treatment center.

Ms. Zahn expressed her lack of desire to adhere to the Stipulation and Order requirements at this time due to her soul searching, her lack of funds for CE, a psychological evaluation and any possible therapy.

Ms. Zahn asked the Board and Ms. Taxin what her

options are now that she has signed the Stipulation and Order.

**Ms. Taxin responded that Ms. Zahn is currently in compliance with the Stipulation and Order as she has met with the Board as required. Ms. Taxin stated that the probation time does not count until Ms. Zahn is employed as a Substance Abuse Counselor.**

**The Board inquired about the option of Ms. Zahn taking a break and determining if substance abuse is her desired path. Ms. Taxin stated that we could allow for time to reflect but that the Order time would be prolonged.**

**Mr. Millard made a motion for Ms. Zahn to meet again May 3, 2006, with the Board to report on her situation and be prepared to discuss a possible surrender of her license or to request another 3 months for time to obtain employment in the field of substance abuse. Mr. Wilkey seconded the motion. The Board vote was unanimous.**

**Ms. Taxin stated that Ms. Zahn should contact the Division immediately if she obtains employment. Ms. Taxin commented that Ms. Zahn will be out of compliance with the Stipulation and Order at the next meeting if she is not employed in the field of substance abuse. Ms. Taxin requested Ms. Zahn to think about and prepare a paper of thoughts to discuss in the next meeting regarding the effects of her actions with her clients and herself. Ms. Taxin stated that Ms. Zahn could discuss the issues without being employed in the field.**

**An appointment was made for Ms. Zahn to meet with the Board on May 3, 2006.**

**3:00 P.M.**

H. Russell Brown, Application Review

Mr. Brown met with the Board for review of his application.

Board members and Division staff were introduced to Mr. Brown.

Mr. McMillan conducted the interview and review.

**Mr. McMillan stated that the Board and the Division had concerns about the following:**

- 1. Mr. Brown being the owner of Renaissance Ranch and obtaining his substance abuse training from an employee as this has potential to be a conflict of interest.**
- 2. Mr. Brown's website advertising documenting him as Intake Director and an LSAC when Mr. Brown is not yet licensed.**

**Mr. McMillan asked Mr. Brown to address the above concerns.**

Mr. Brown explained that his primary position as Director of Renaissance Ranch is administrative with conducting the intake interviews. Mr. Brown stated that he can understand the possible conflict of having an employee supervise, however, he and his supervisor did meet regularly on a part time basis, he has completed the requirements of the education, the supervision hours and passed the examination to be licensed as a Substance Abuse Counselor and would like to have the license to be able to assist at the facility. Mr. Brown stated that he was of the understanding that the website information listed him as a Licensed Substance Abuse Counselor Intern and he agreed to correct the information as soon as possible.

**Ms. Taxin asked Mr. Brown to explain his understanding of the duties a Substance Abuse Counselor may perform and she then inquired if a Substance Abuse Counselor can perform mental assessments.**

Mr. Brown responded that the Substance Abuse Counselor may conduct didactic and group counseling sessions and he did not know if the Substance Abuse Counselor could do mental health assessments or not but he does not do mental health assessments

**Mr. McMillen stated that Substance Abuse Counselors may also collect data but cannot do mental assessments. Mr. McMillen then asked if the Substance Abuse Counselor can diagnose clients.**

Mr. Brown responded that the Substance Abuse Counselor cannot diagnose but might notice something that should be brought to the attention of the therapist. Mr. Brown explained that he is doing the 12 step program with the clients.

**Ms. Taxin recommended Mr. Brown print copies of all pertinent laws and rules and be familiar with the guidelines for himself and all his licensed staff as he is the Director and the one who is accountable for all staff duties. Ms. Taxin stated that Mr. Brown needs to be familiar with what he is allowed to do as the owner.**

**Ms. Taxin also stated that Mr. Brown's website needs to have correct information posted as soon as possible.**

Mr. Brown noted the recommendation and remarked that he would correct the website. Mr. Brown then asked the Board if one LCSW would be sufficient for the Renaissance Ranch facility and for a new women's facility he is opening in Draper or do they need an LCSW for each facility.

**Mr. Wilkey responded that there is concern that the LCSW is only spending 2 hours a week at the Renaissance Ranch. Mr. McMillen responded that the LCSW is suppose to be signing off on all progress notes for the Substance Abuse Counselors. Mr. Millard responded that the mental health therapist should spend time with each client.**

**Mr. McMillen requested a letter be sent to the Division from Suze Harrington confirming that she is the clinical supervisor, who she supervises and explain how she provides supervision to Mr. Brown. Mr. McMillen stated that, upon receiving the letter, Ms. Taxin will review the letter and application to determine if the supervisor meets the requirements for licensure as a Licensed Substance Abuse Counselor.**

**3:30 P.M.**  
Susan Chase, Application Review

Ms. Chase met with the Board for the review of her education, experience and application for licensure as

a Substance Abuse Counselor.

Board members and Division staff were introduced.

Mr. McMillen conducted the interview.

**Mr. McMillen requested Ms. Chase to explain where she is working and her experience.**

Ms. Chase explained that she works at Paramount Reflections, a facility program with a State agency, which is a day treatment, with placement by the courts. Ms. Chase stated that the facility uses the 12 step program, reports to the courts and works on transition back into the community. Ms. Chase stated that Randal Gangwer, CSW, her direct supervisor, is on site daily and the mental health therapist is a contracted position. Ms. Chase did not know the CSW supervisors name.

**Board members listened to Ms. Chases explanation of the facilities services and her supervision. Additionally, the Board reviewed the experience forms and determined Ms. Chase has met the experience requirements.**

**Ms. Taxin stated the Division and Board had concern that Ms. Chase did not submit an original transcript. Ms. Taxin stated that the letter from the University of Utah explaining that Ms. Chase completed the U of U substance abuse program without credit is good as the letter does have grades for the classes, however, the law requires original transcripts be submitted. Ms. Taxin requested Ms. Chase contact the U of U to request an original transcript. Ms. Taxin stated that the Division will issue the license upon receipt of the official transcript as the Board determined the experience meets the licensing requirements.**

## **DISCUSSION ITEMS:**

### Legislative Update

Ms. Taxin notified the Board that there was a new GRAMMA bill that passed regarding the public meetings and starting May 1, 2006, the Division will be required to tape all Board meetings. Ms. Taxin stated that the tapes must be retained on file for a 1



year period and then may be destroyed.

Mr. Jackson commented that the Board meetings should still be friendly and personable with Board business conducted about the same way as it has been conducted.

**Board members noted the information.**

Ms. Taxin commented that the Substance Abuse Counselors Law and Rule do not require a Law and Rule examination. Ms. Taxin asked the Board if they would support questions in the application regarding the Utah Law and Rule.

**Board members concurred with Ms. Taxin to include questions in the application in lieu of a formal Law and Rule examination. Mr. McMillen requested information be included regarding the continuing education requirement.**

**CORRESPONDENCE:**

Lewis E. Galway, LPC, e-mail Questions on Supervision

The Board reviewed Mr. Galway's questions regarding how many LSAC's he is allowed to supervise and determined Mr. Galway should be referred to the Law (58-60-508(7)) and the Professional Counselor Rules as Mr. Galway is licensed as a Professional Counselor. The Board commented that it is not possible to provide adequate supervision when the supervisor is supervising too many people.

**NEXT MEETING SCHEDULED FOR:**

May 3, 2006

**MEETING ADJOURNED AT:**

4:45 P.M.

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Date Approved

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Chairperson, Utah Substance Abuse Counselors  
Licensing Board

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Date Approved

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Bureau Manager, Division of Occupational &  
Professional Licensing